

### **3.4.7**

### **APPENDIX G**

June 28, 2002 Public Hearing Comments and Responses.

**COMMENTS AND RESPONSES ON  
PROPOSED REVISIONS TO THE  
KANSAS CITY OZONE MAINTENANCE PLAN  
AND  
RECOMMENDATION FOR ADOPTION**

On June 28, 2002, the Missouri Air Conservation Commission held a public hearing concerning the 2002 Kansas City Ozone Maintenance Plan. The following is a summary of comments received and the Missouri Department of Natural Resources' corresponding responses. Any changes to the proposed maintenance plan are identified in the responses to the comments.

The Missouri Department of Natural Resources' Air Pollution Control Program recommends that the commission adopt the plan action as amended. If the commission adopts this plan action, it will be the department's intention to submit this plan action to the U.S. Environmental Protection Agency (EPA) for inclusion in the Missouri State Implementation Plan.

**SUMMARY OF COMMENT:** The department's Air Pollution Control Program received comments from one source, the EPA.

**COMMENT:** The EPA commented that the plan should affirmatively state that since the emissions inventory will be maintained below the 1999 level, the National Ambient Air Quality Standards (NAAQS) for Ozone is maintained for another ten years through 2012.

**RESPONSE AND EXPLANATION OF CHANGE:** The department's Air Pollution Control Program changed the language in the Maintenance Plan because of this comment. The phrase --should be -- is replaced with -- will be -- in the Demonstration of Continued Attainment section.

**COMMENT:** The EPA asked if the ambient air quality would be monitored over the next ten-year period of the revised plan.

**RESPONSE AND EXPLANATION OF CHANGE:** The department's Air Pollution Control Program has changed the language in the Maintenance Plan because of this comment. An affirmative statement was added to clarify that the State will monitor the ambient air quality over the next ten years. The primary tracking plan for the Kansas City Metropolitan Area (KCMA) consists of continuous ozone monitoring. The ongoing regional transportation planning process carried out by the Mid America Regional Council (MARC), in coordination with the Kansas Department of Health and Environment (KDHE), the Missouri Department of Natural Resources and EPA, will serve as a secondary means of tracking mobile source Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) precursor emissions into the future. Since revisions to the region's transportation improvement programs are prepared every two years, and must go through a transportation conformity finding, this process will be used to periodically review progress toward meeting the vehicle miles traveled (VMT) and mobile source emissions projections in this maintenance plan.

**COMMENT:** The EPA commented that the plans should affirmatively state the motor vehicle emissions budgets. A proposed budget is not adequate.

**RESPONSE AND EXPLANATION OF CHANGE:** The department's Air Pollution Control Program has changed the language in the Maintenance Plan because of this comment. The

word -- proposed -- under the Emission Inventory and Motor Vehicle Budgets section, was removed.

COMMENT: In the section concerning contingency measures, Missouri commits to a 12-month deadline for implementing contingency measures after a violation of the standard occurs. After considering the past history and the lengthy time it took to implement control measures in response to violations of the standards in the 1990s, a process, a schedule and pertinent criteria that would be used to select and implement a contingency measure should be added to the maintenance plan. The commitment is to implement transportation control measures, yet the list contains other types of possible control measures. The EPA asked what contingency measure is the department's Air Pollution Control Program actually committing to and what contingency measures will actually be implemented to promptly correct violations of the ozone standard that may occur during the period of the maintenance plan. EPA also provided pertinent information being considered by Illinois, Indiana, and Wisconsin for the Chicago area maintenance plan for Missouri's consideration. The EPA noted that contingency measures with a two level response were included in those plans.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program has changed the language in the Maintenance Plan because of this comment. The Contingency Measures section was rewritten to include a two level response after implementation of the federal mobile source rule. From now until late 2004, existing control measures along with any necessary contingency measures will control the area's emissions. In 2005 to 2012, the mobile emission reductions from federal regulations are counted on for a substantive reduction in mobile emission levels. These projected reductions originate with the projected future federal rules. Upon implementation of these future rules, substantive reductions in the amount of contribution from Mobile sources to the total emissions of the area will occur. The process for identifying effective emission reduction strategies will require more specialized study and modeling to predict reductions and to recommend control strategies; if additional reductions are necessary.

The process after 2004 will be the use of a Level I response. This would occur in the event that the ozone NAAQS is exceeded, or if VOC or NO<sub>x</sub> emissions increase more than 5 percent above the levels contained in the attainment year (1999) emission inventory. To facilitate the emissions trends analysis, Missouri commits to compiling VOC and NO<sub>x</sub> emissions inventories every three years for the duration of the maintenance plan. The EPA does not require a state to implement contingency measures when occasional exceedances are recorded. Missouri will work cooperatively with KDHE and MARC to conduct a thorough analysis to determine if emission trends are likely to continue. If the trend is determined to continue, evaluation of what and where control measures are needed as well as the level of emission reduction needed, to avoid a violation of NAAQS. The study shall be completed within nine months. If deemed necessary, control measures will be adopted within 12 months of determination.

Level II response will be implemented or triggered when a violation of the one-hour ozone NAAQS is measured at a monitoring site for the maintenance area. Missouri will work cooperatively with KDHE and MARC to conduct a thorough analysis to determine appropriate measures to address the cause of the violation. The analysis shall be completed within six months. Selected measures shall be adopted within 12 months and implemented as expeditiously as practicable, taking into consideration the ease of implementation and the technical and economic feasibility of selected measures. No contingency measure will be implemented without providing for full public participation.

A process, a schedule, and pertinent criteria are outlined in the following Table.

| Year        | Contingency Measure Trigger  | Action to be Taken  | List of Contingency Measures   |
|-------------|--|---|--|
| 2003 - 2004 | Violation occurs anywhere within the maintenance area.   | Depending upon the degree and nature of the transgression, the department will begin implementation of transportation control measures sufficient to achieve at least a five-percent reduction in area wide emissions   | <p>Statewide NOx rule (MO)</p> <p>Federal Non-road Engine Standards</p> <p>One or more of the following will be considered for implementation:</p> <ol style="list-style-type: none"> <li>1) industrial emission offsets of 1.15 to 1;</li> <li>2) stationary source controls for NOx and VOC ;</li> <li>3) Stage II Vapor Recovery program at gasoline refueling stations;</li> <li>4) enhanced vehicle emission reductions programs;</li> <li>5) alternate fuel programs for fleet vehicle operations;</li> <li>6) vehicle anti-tampering programs;</li> <li>7) other transportation control measures;</li> <li>8) vehicle inspection and maintenance program;</li> <li>9) VOC controls on minor sources, and;</li> <li>10) the department will further review and evaluate the current VOC rules to see if they need to be tightened, changed or modified.</li> </ol>   |
| 2005 - 2012 | <p>Level I Trigger</p> <ul style="list-style-type: none"> <li>The KCMA NOx or VOC emissions inventories for 1999 increase more than 5% above the levels included in the 3-year emissions inventories updates.</li> </ul> | MO will work cooperatively with KS to evaluate the exceedances, or determine if adverse emissions trends are likely to continue. If so, the States will determine what and where controls may be required, as well as level of emissions reductions needed, to avoid a violation of the NAAQS. The study shall be completed within 9 months. If necessary, control measures shall be adopted within 18 months of determination. | <p>Point Source Measures</p> <ul style="list-style-type: none"> <li>• NOx SIP Call Phase II (non-utility)</li> <li>• Reinstate requirements for Offsets and/or LAER</li> <li>• Apply RACT to smaller existing sources</li> <li>• Tighten RACT for existing sources covered by EPA CTGs.</li> <li>• Expanded geographic coverage of current point source measures</li> <li>• MACT controls for industrial sources</li> <li>• Other measures to be identified</li> </ul> <p>Mobile Source Measures</p> <ul style="list-style-type: none"> <li>• Tier 2 Vehicle Standards and Low Sulfur Fuel</li> <li>• Heavy Duty Diesel Standards and Low Sulfur Diesel Fuel</li> <li>• TCMs, including, but not limited to, area-wide rideshare programs, telecommuting, transit improvements, and traffic flow improvements.</li> <li>• High-enhanced I/M (OBDII)</li> <li>• California Engine Standards</li> <li>• Other measures to be identified</li> </ul> |
|             | <p>Level II Trigger</p> <ul style="list-style-type: none"> <li>A violation of the Ozone NAAQS at any monitoring station in the KCMA.</li> </ul>  | MO will work cooperatively with KS to conduct a thorough analysis to determine appropriate measures to address the cause of the violation. Analysis shall be completed within 6 months. Selected measures shall be adopted within 18 months and implemented as expeditiously as practicable, taking into consideration the ease of implementation and the technical and economic feasibility of selected measures.              | <p>Area Source Measures</p> <ul style="list-style-type: none"> <li>• California Architectural/Industrial Maintenance (AIM)</li> <li>• California Commercial and Consumer Products</li> <li>• Broader geographic applicability of existing measures</li> <li>• California Off-road Engine Standards</li> <li>• Other measures to be identified</li> </ul>   |

COMMENT: The EPA asked what emissions models were used to construct the 1999 on-road and off-road mobile source emissions inventory. If MOBILE5 was used, the EPA believes the State must commit to revising the motor vehicles emissions budgets within a short time period. In addition, the EPA asked, if the Bureau of Economic Analysis (BEA) growth factors were used to project emission in 2012.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program changed the Maintenance Plan language because of this comment. The EPA MOBILE6 model was used to develop the on-road emissions. The parameters of the MOBILE6 model were used in the development of mobile emissions added to the Mobile Source Emissions section. MOBILE5 was not used to calculate mobile emissions. In addition, a statement stating that MOBILE5 and MOBILE5B were not used was added to the section. The BEA growth factors were used because they are derived from EPA's Economic Growth Analysis System (EGAS) software. BEA growth factors are derived for each Source Classification Code (SCC) and County combination. The Point Sources Emissions section mentioning BEA growth factors was rewritten to affirmatively state the use of BEA growth factors.

COMMENT: The EPA commented that in addition to the maintenance plan that is required when an area requests re-designation, the Clean Air Act (CAA) also requires a revised maintenance plan for the second ten year period. The prior maintenance plan was approved in 1992, not 1991. This plan could be referred to as a 2003 Plan, not a 2002 Plan.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program changed the Maintenance Plan language because of this comment. An effort to correct the use of referencing the 1992 maintenance plan as the 1991 maintenance plan was made in the 1992 draft submitted to public review on June 28, 2002. Reluctance to correct direct quotes and outside department communications has allowed for some inconsistency when referring to the 1992 plan. The sections will be rewritten to correct or more clearly state the plan was a 1992 plan and not the 1991 plan. The department has historically identified plans by referring to the MACC adopted date and, therefore, will refer to this plan using that date.

COMMENT: The EPA commented that the affirmative statement in the Provision for the Continued Operation of the Air Monitoring Network section states that emission inventories will be updated every three years throughout the 10 year period of the revised maintenance plan and should be moved to the appropriate section.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program changed the Maintenance Plan language because of this comment. The commitment to renew the emission inventory would better serve the reader in the emission inventory update section. To aid the reader in finding such required information, numbered headings have been added to specific required sections.

COMMENT: The EPA commented that the revised maintenance plan relies on emission controls required by existing federal or state rules, those rules should be identified.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program changed the Maintenance Plan language because of this comment. Control measures that are required by existing federal or state rules have been identified. The existing federal and state rules that are enacted as control measures, or those rules the plan is relying on to show attainment, have been added to the Demonstration of Continued

Attainment section. The Maintenance Plan shows that, without adding any new control measures to the KC Maintenance Plan, ozone precursor emissions will be reduced between 2000 and 2012. These reductions will be realized through a combination of already adopted measures and programs affecting mobile sources, stationary sources, and transportation systems. The Kansas City Metropolitan Area will rely on the control programs listed to demonstrate maintenance of the one-hour ozone standard through 2012. A list of the existing federal and state control measure has been included in the actual plan.

COMMENT: The EPA believes some adjustments can be made that will help current and future readers understand this document.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program has changed the Maintenance Plan language because of this comment. To improve the readability of the document a numbered outline has been added to the table of contents and to each heading. The appendix, acronyms, and table lists were moved to the back of the document. The conformity and administrative requirement sections have been separated. The definition of some technical terms has been expanded to make them more understandable to a wider range of readers. In addition, the locations of critical items of the maintenance plan are identified in the Table of Contents section.

**3.4.8**

**APPENDIX H**

**MACC Adoption Certification**

Pursuant to 643.055 RSMo, the Missouri Air Conservation Commission has determined that this action is needed to have a U.S. Environmental Protection Agency approved State Implementation Plan.

Kansas City Ozone Maintenance Plan is hereby adopted by the Missouri Air Conservation Commission this 25th day of July, 2002.

Harriet A. Beard, Chairman

\_\_\_\_\_, Vice-Chairman

Frank Belter, Member

Michael L. Lamm, Member

Jeanne M. Collins, Member

Ermi Brown, Member

\_\_\_\_\_, Member



### **3.4.9**

### **APPENDIX I**

**KS and MO Emissions from New Population and Employment Forecasts.**

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**Kansas City Regional Emissions Inventory**  
**August 26, 2002**

*Note: Area and on-road mobile source estimates for 2012 are based on new draft population and employment forecasts approved by the MARC Technical Forecast Committee on July 11, 2002. Forecasts have not been adopted by the MARC Board.*

|                 | VOC emissions |      |      |       |      |       | NOx emissions |       |       |       |       |       | CO emissions |       |        |        |       |       |
|-----------------|---------------|------|------|-------|------|-------|---------------|-------|-------|-------|-------|-------|--------------|-------|--------|--------|-------|-------|
|                 | 1999          |      |      | 2012  |      |       | 1999          |       |       | 2012  |       |       | 1999         |       |        | 2012   |       |       |
|                 | KS            | MO   | REG  | KS    | MO   | REG   | KS            | MO    | REG   | KS    | MO    | REG   | KS           | MO    | REG    | KS     | MO    | REG   |
| Area            | 46.8          | 43.1 | 89.9 | 57.9  | 54.3 | 112.1 | 10.3          | 13.0  | 23.3  | 12.2  | 13.8  | 26.0  | 19.6         | 5.3   | 24.9   | 23.2   | 5.5   | 28.7  |
| Point           | 12.3          | 15.9 | 28.3 | 14.8  | 24.6 | 39.4  | 31.9          | 107.2 | 139.1 | 39.0  | 148.2 | 187.2 | 4.6          | 9.7   | 14.3   | 5.3    | 14.0  | 19.3  |
| On-road mobile  | 92.3          |      | 92.3 | 45.5  |      | 45.5  | 152.9         |       | 152.9 | 74.2  |       | 74.2  | 1092.4       |       | 1092.4 | 639.4  |       | 639.4 |
| Off-road mobile | 21.4          | 21.6 | 43.0 | 11.8  | 12.9 | 24.7  | 54.0          | 54.9  | 108.9 | 40.5  | 45.5  | 86.0  | 288.0        | 286.4 | 574.4  | 357.3  | 354.5 | 711.8 |
| TOTAL           | 253.6         |      |      | 221.7 |      |       | 424.2         |       |       | 373.5 |       |       | 1706.0       |       |        | 1399.3 |       |       |

# **Kansas City Regional Emissions Inventory**

## **August 26, 2002**

*Note: Area and on-road mobile source estimates for 2012 are based on new draft population and employment forecasts approved by the MARC Technical Forecast Committee on July 11, 2002. Forecasts have not been adopted by the MARC Board.*

**TABLE I - VOC Emissions**

|                 | <b>1999</b>     |                   | <b>2012</b>     |                   | <b>% change<br/>1999-2012</b> |
|-----------------|-----------------|-------------------|-----------------|-------------------|-------------------------------|
|                 | <b>tons/OSD</b> | <b>% of total</b> | <b>tons/OSD</b> | <b>% of total</b> |                               |
| Area            | <b>89.9</b>     | <b>35.5%</b>      | <b>112.1</b>    | <b>50.6%</b>      | <b>24.7%</b>                  |
| Point           | <b>28.3</b>     | <b>11.1%</b>      | <b>39.4</b>     | <b>17.8%</b>      | <b>39.5%</b>                  |
| On-road mobile  | <b>92.3</b>     | <b>36.4%</b>      | <b>45.5</b>     | <b>20.5%</b>      | <b>-50.8%</b>                 |
| Off-road mobile | <b>43.0</b>     | <b>17.0%</b>      | <b>24.7</b>     | <b>11.1%</b>      | <b>-42.7%</b>                 |
| <b>TOTAL</b>    | <b>253.6</b>    |                   | <b>221.7</b>    |                   | <b>-12.6%</b>                 |

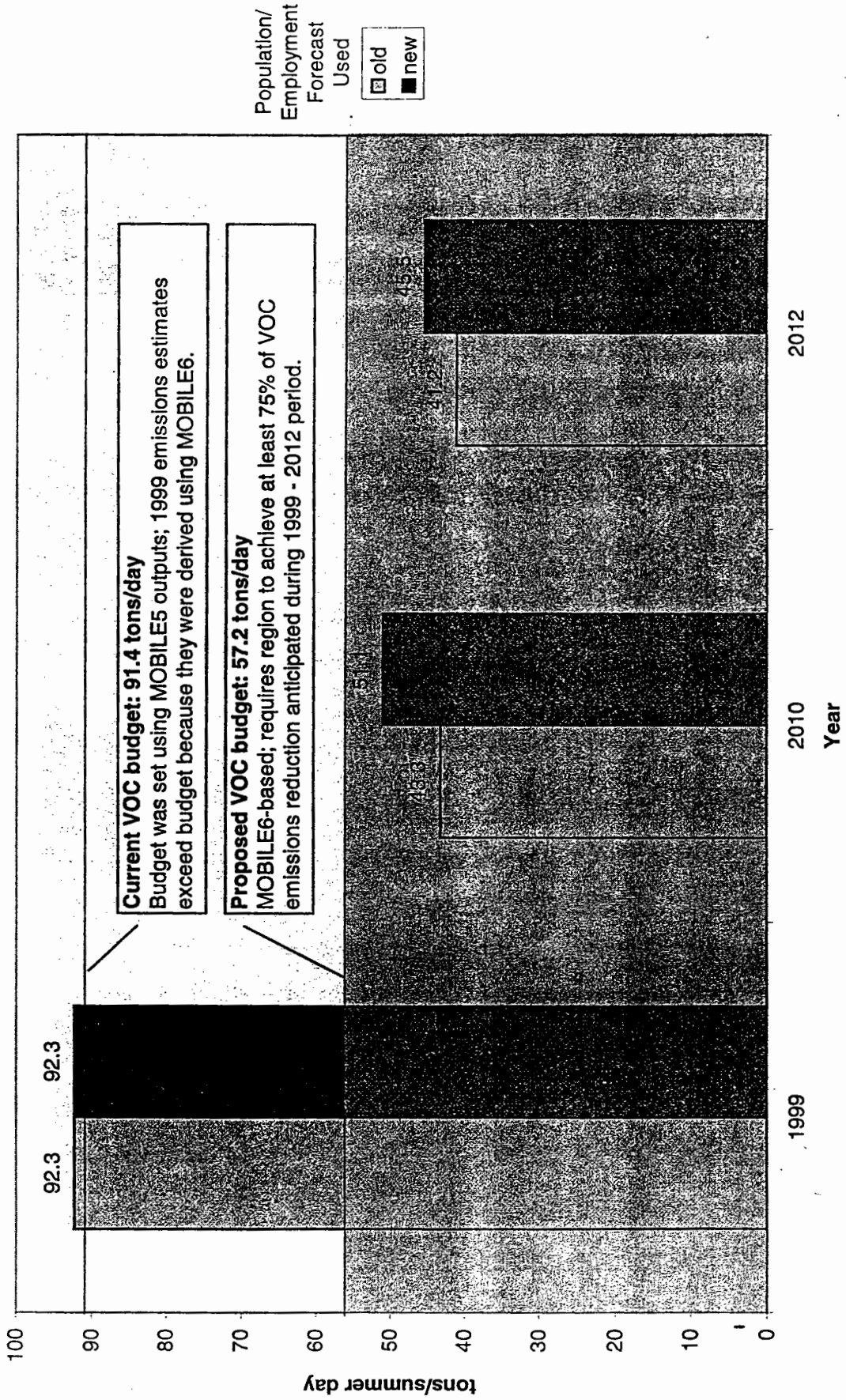
**TABLE II - NOx Emissions**

|                 | <b>1999</b>     |                   | <b>2012</b>     |                   | <b>% change<br/>1999-2012</b> |
|-----------------|-----------------|-------------------|-----------------|-------------------|-------------------------------|
|                 | <b>tons/OSD</b> | <b>% of total</b> | <b>tons/OSD</b> | <b>% of total</b> |                               |
| Area            | <b>23.3</b>     | <b>5.5%</b>       | <b>26.0</b>     | <b>7.0%</b>       | <b>11.7%</b>                  |
| Point           | <b>139.1</b>    | <b>32.8%</b>      | <b>187.2</b>    | <b>50.1%</b>      | <b>34.5%</b>                  |
| On-road mobile  | <b>152.9</b>    | <b>36.0%</b>      | <b>74.2</b>     | <b>19.9%</b>      | <b>-51.4%</b>                 |
| Off-road mobile | <b>108.9</b>    | <b>25.7%</b>      | <b>86.0</b>     | <b>23.0%</b>      | <b>-21.0%</b>                 |
| <b>TOTAL</b>    | <b>424.2</b>    |                   | <b>373.5</b>    |                   | <b>-12.0%</b>                 |

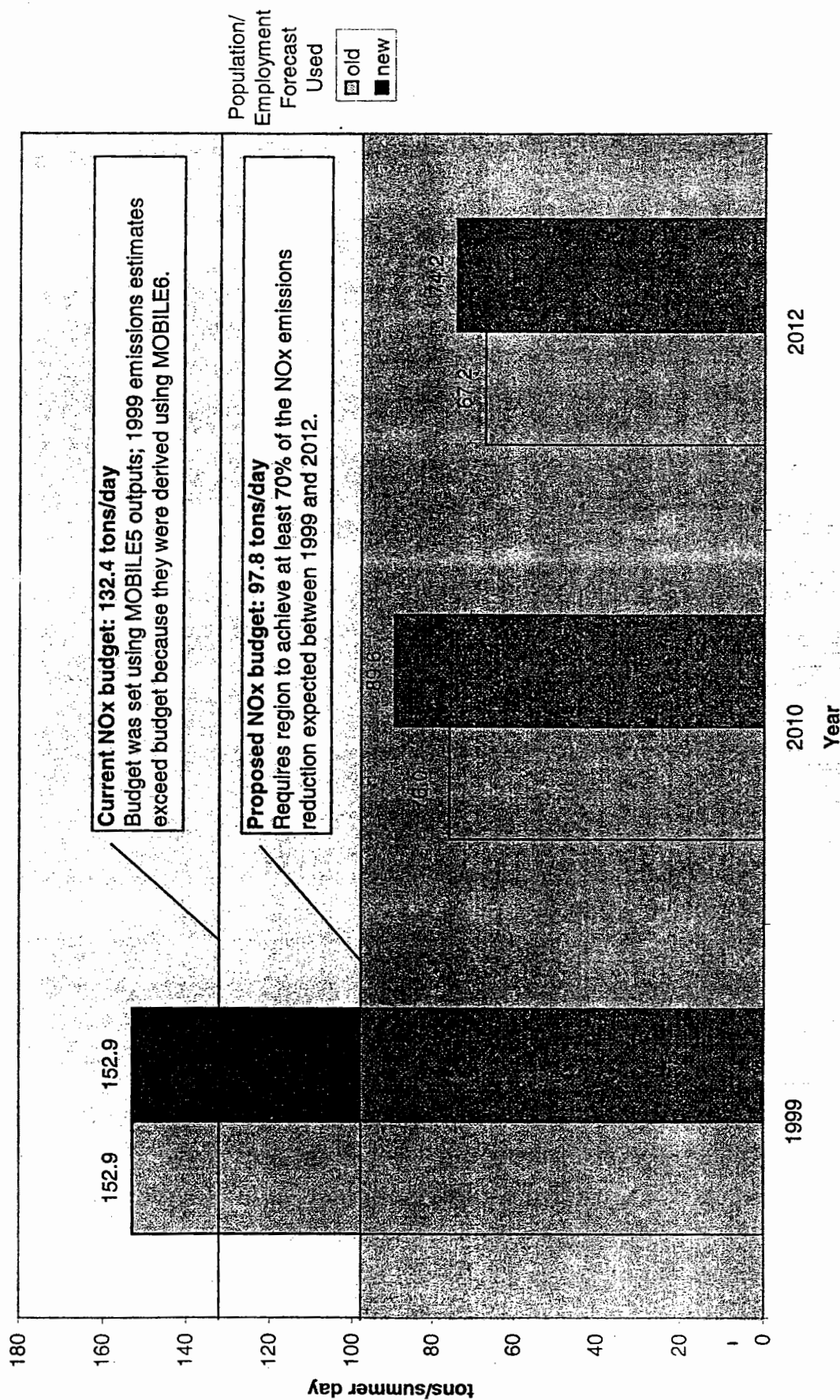
**TABLE III - CO Emissions**

|                 | <b>1999</b>     |                   | <b>2012</b>     |                   | <b>% change<br/>1999-2012</b> |
|-----------------|-----------------|-------------------|-----------------|-------------------|-------------------------------|
|                 | <b>tons/OSD</b> | <b>% of total</b> | <b>tons/OSD</b> | <b>% of total</b> |                               |
| Area            | <b>24.9</b>     | <b>1.5%</b>       | <b>28.7</b>     | <b>2.1%</b>       | <b>15.5%</b>                  |
| Point           | <b>14.3</b>     | <b>0.8%</b>       | <b>19.3</b>     | <b>1.4%</b>       | <b>34.8%</b>                  |
| On-road mobile  | <b>1092.4</b>   | <b>64.0%</b>      | <b>639.4</b>    | <b>45.7%</b>      | <b>-41.5%</b>                 |
| Off-road mobile | <b>574.4</b>    | <b>33.7%</b>      | <b>711.8</b>    | <b>50.9%</b>      | <b>23.9%</b>                  |
| <b>TOTAL</b>    | <b>1706.0</b>   |                   | <b>1399.3</b>   |                   | <b>-18.0%</b>                 |

# Kansas City Regional Mobile Source VOC Emissions 1999-2012



# Kansas City Regional Mobile Source NOx Emissions 1999-2012



### **3.4.10**

### **APPENDIX J**

**October 24, 2002 Public Hearing Notice  
and Certification of Publication of the Notice.**

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## NEWS PRESS

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STATE OF MISSOURI  
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TOTAL COST: 931.00 AD SPACE: 532 LINE  
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(Signed)

*LaVonda Burgess-Mayhew*  
Subscribed and sworn to before me this  
25th day of October 20 02

*Esther Jones* Notary Public

MISSOURI AIR CONSERVATION COMMISSION  
WILL HOLD PUBLIC HEARING

JEFFERSON CITY, MO—The Missouri Air Conservation Commission will hold a public hearing on Emissions Banking and Trading, Restriction of Emissions of Lead from Specific Lead Smelter-Refinery Installations, Operating Permit Program Deficiencies, Maintenance Plan for the St. Louis Ozone Nonattainment Area, St. Louis Mobile Source Emission Budget for the St. Louis Ozone Nonattainment Area, Kansas City Ozone Maintenance Plan, and other issues on Thursday, October 24, 2002. The Public Hearing will begin at 9 a.m. at the Traveler's Inn Christian Bed & Breakfast, Ballroom, 301 W. Washington, Kirksville, Missouri. The commission will hear testimony related to the following rule actions.

- 10 CSR 10-6.060 (amendment) Construction Permits Required

This proposed amendment will remove the offset and banking provisions from this rule and add references to new rule, 10 CSR 10-6.410 Emissions Banking and Trading to avoid duplicative requirements.

- 10 CSR 10-6.410 (new rule) Emissions Banking and Trading

This new rule was developed in accordance with 643.220 RSMo and outlines an emissions banking and trading program for criteria pollutants and their precursors. The goal of this program is to achieve and maintain the National Ambient Air Quality Standards in nonattainment and maintenance areas in the state of Missouri.

Banking and trading programs allow facilities to earn emissions reduction credits by emitting below the applicable standard. The emission reduction credits can be banked for later use or traded or sold to a different facility. An environmental contribution of 3% will be subtracted from the bank of credits each year. These programs are both environmentally and economically beneficial in nonattainment and maintenance areas.

- 10 CSR 10-6.120 (amendment) Restriction of Emissions of Lead From Specific Lead Smelter-Refinery Installations.

This proposed amendment was requested by the Doe Run Company for the Resource Recycling facility. It will lower the total daily throughput limit for the blast furnace and raise the total daily throughput limit for the rotary melt and reverberatory furnaces. There will be no net lead emission increase as a result of this amendment.

- 10 CSR 10-5.170 (amendment) Control of Odors From Processing of Animal Matter

This proposed amendment will correct an incorrect rule reference.

- 10 CSR 10-6.065 (amendment) Operating Permits

This proposed amendment addresses deficiencies in Missouri's Title V program identified by the Sierra Club and the U.S. Environmental Protection Agency (EPA). Failure to adopt these amendments may cause the EPA to withdraw Missouri's Title V program.

- Maintenance Plan for the St. Louis Ozone nonattainment Area

The Department of Natural Resources' Air Pollution Control Program has prepared a maintenance plan for the St. Louis area to proceed with a redesignation request. The St. Louis area is currently designated under the federal Clean Air Act as a moderate nonattainment area for ground level ozone. The area is expected to attain the one-hour ozone standard this year. The ozone season begins on April 1st and ends on October 31st of each year. The redesignation request is based on three years of no violations of the standard during the period 2000-2002.

A maintenance plan is required before an area can be redesignated to attainment status. The maintenance plan outlines how over the next ten years the area will maintain air quality that meets the national ambient air quality standard. When areas are redesignated from nonattainment to attainment, they are commonly referred to as "maintenance areas". Maintenance areas are considered to be attainment areas since the air quality meets the national ambient air quality standard. Once attainment is achieved, the area must continue to demonstrate (maintain) attainment for at least 10 years after the U.S. Environmental Protection Agency officially approves the redesignation request. The maintenance plan includes an updated area emissions inventory, emissions growth projections, contingency measures, it identifies the control measures in place that will be relied on to maintain the air quality and it provides for continued operation of the monitoring network.

- St. Louis Mobile Source Emission Budget for the St. Louis Ozone Nonattainment Area

The Missouri Department of Natural Resources is required to submit mobile source emission budgets for conformity purposes for the St. Louis ozone nonattainment area. This budget is a projected emissions inventory used to demonstrate reasonable further progress for a particular year specified in the State Implementation Plan. The mobile source emission budget establishes a cap on emissions that cannot be exceeded by individual highways and transit

## AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI ) ss.  
County of Boone )

I, Ryan Parks, being duly sworn according to law, state that I am one of the publishers of the Columbia Daily Tribune, a daily newspaper of general circulation in the County of Boone, State of Missouri, where located; which newspaper been admitted to the Post Office as periodical class matter in the City of Columbia, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provision of Section 493.050, Revised Statutes of Missouri, 2000, and Section 59.310, Revised Statutes of Missouri, 2000. The affixed notice appeared in said newspaper in the following consecutive issues:

|                 |              |       |
|-----------------|--------------|-------|
| 1st Insertion,  | September 20 | ,2002 |
| 2nd Insertion,  |              | ,2002 |
| 3rd Insertion,  |              | ,2002 |
| 4th Insertion,  |              | ,2002 |
| 5th Insertion,  |              | ,2002 |
| 6th Insertion,  |              | ,2002 |
| 7th Insertion,  |              | ,2002 |
| 8th Insertion,  |              | ,2002 |
| 9th Insertion,  |              | ,2002 |
| 10th Insertion, |              | ,2002 |
| 11th Insertion, |              | ,2002 |
| 12th Insertion, |              | ,2002 |
| 13th Insertion, |              | ,2002 |
| 14th Insertion, |              | ,2002 |
| 15th Insertion, |              | ,2002 |
| 16th Insertion, |              | ,2002 |
| 17th Insertion, |              | ,2002 |
| 18th Insertion, |              | ,2002 |
| 19th Insertion, |              | ,2002 |
| 20th Insertion, |              | ,2002 |
| 21st Insertion, |              | ,2002 |
| 22nd Insertion, |              | ,2002 |

PRINTERS FEE: \$244.00

By

Subscribed and sworn to before me this 23rd day of September, 2002

Notary Public

My Commission Expires Jan 3, 2006

**GEORGE W. ROBINSON**  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Boone County  
My Commission Expires: Jan. 3, 2006

### MISSOURI AIR CONSERVATION COMMISSION WILL HOLD PUBLIC HEARING

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• 10 CSR 10-6.410 (new rule) Emissions Banking and Trading  
This new rule was developed in accordance with 643.220 RSMo and outlines an emissions banking and trading program for criteria pollutants and their precursors. The goal of this program is to achieve and maintain the National Ambient Air Quality Standards in nonattainment and maintenance areas in the state of Missouri. Banking and trading programs allow facilities to earn emissions reduction credits by emitting below the applicable standard. The emissions reduction credits can be banked for later use or traded or sold to a different facility. An environmental contribution of 3% will be subtracted from the bank of credits each year. These programs are both environmentally and economically beneficial in nonattainment and maintenance areas.

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• 10 CSR 10-5.170 (amendment) Control of Odors From Processing of Animal Matter  
This proposed amendment will correct an incorrect rule reference.

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This proposed amendment addresses deficiencies in Missouri's Title V program identified by the Sierra Club and the U.S. Environmental Protection Agency (EPA). Failure to adopt these amendments may cause the EPA to withdraw Missouri's Title V program. Maintenance Plan for the St. Louis Ozone Nonattainment Area

The Department of Natural Resources' Air Pollution Control Program has prepared a maintenance plan for the St. Louis area to proceed with a redesignation request. The St. Louis area is currently designated under the federal Clean Air Act as a moderate nonattainment for ground level ozone. The area is expected to attain the one-hour ozone standard this year. The ozone season begins on April 1st and ends on October 31st of each year. The redesignation request is based on three years of no violations of the standard during the period 2000-2002.

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COMMISSION WILL  
HOLD A PUBLIC  
HEARING

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10 CSR 10-6.060  
(A m e n d m e n t)  
Construction Permits  
Required

This proposed amendment will remove the emissions banking provisions from this rule and add references to new rule, 10 CSR 10-6.410 Emissions Banking and Trading to avoid duplicative requirements.

10 CSR 10-6.410 (new rule)  
Emissions Banking and Trading

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Emissions banking and trading programs allow facilities to earn emissions reduction credits by emitting below the applicable standard. Emissions reductions can be banked for later use or sold to a different facility. An environmental contribution fee will be subtracted from the bank of credits each year. These programs are both environmentally and economically beneficial.

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\* St. Louis Mobile Source Emission Budget for the St. Louis Ozone Nonattainment Area

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\* Missouri State Implementation Plan

developed new projections for on-road mobile emission inventories, area source emission inventories and a new mobile emissions budget.

The above documents will be available for review at the following locations: Missouri Department of Natural Resources, Air Pollution Control Program, 205 Jefferson St., Jefferson City, (573) 751-4817; Jefferson City Regional Office, 210 Hoover Road, Jefferson City, (573) 751-2729; Kansas City Regional Office, 500 NE Colbern Road, Lee's Summit, (816) 622-7000; Northeast Regional Office, 1709 Prospect Drive, Macon, (660) 385-2129; Southeast Regional Office, 948 Lester Street, Poplar Bluff, (573) 840-9750; St. Louis Regional Office, 9200 Watson Road, St. Louis, (314) 301-7600; Southwest Regional Office, 2040 W. Woodland, Springfield, (417) 891-4300.

Persons with disabilities requiring special services or accommodations to attend the meeting can make arrangements by calling the division directly at (573) 751-7840, the department's toll free number at (800) 334-6946, or by writing two weeks in advance of the meeting to: Missouri Department of Natural Resources, Air Conservation Commission Secretary, P.O. Box 176, Jefferson City, MO 65102. Hearing impaired persons may contact the program through Relay Missouri, (800) 735-2966.

The commission holds public hearings under the provisions of chapter 643, RSMo. Citizens wishing to speak at the public hearing should notify the secretary to the Missouri Air Conservation Commission, Missouri Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, Missouri 65102-0176, or telephone (573) 751-7840. The department requests persons intending to give verbal presentations also provide a written copy of their testimony to the commission secretary at the time of the public hearing. The department also will accept written comments for the record until 5 p.m. on October 31, 2002; please send two copies of written comments to Chief, Planning Section, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102-0176.

STATE OF MISSOURI  
COUNTY OF BUTLER) ss.

I, Schrieber, being duly sworn according to law, state that I am PUBLISHER of the DAILY AMERICAN REPUBLIC, a daily newspaper of general circulation in the counties of Butler, Ripley, Carter, Wayne, Stoddard, New Madrid and Scott; which newspaper has been admitted to the Post Office as second class matter in City of Poplar Bluff, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 1969. The affixed notice appeared in said newspaper in the following consecutive issues:

|           |           |          |       |                       |
|-----------|-----------|----------|-------|-----------------------|
| Insertion | Vol. 134  | No. 214  | 20    | day of Sep 20 02      |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |
| Insertion | Vol ..... | No ..... | ..... | day of ..... 20 ..... |

*Heiler*

PUBLISHER

Subscribed and sworn to before me this 20 day of September

*02*

*Carol R. Hunsch*

NOTARY PUBLIC

My commission expires 3/26/04

Publication Fee \$ .....

RECEIVED  
2002 SEP 23 AM 10:49  
AIR POLLUTION  
CONTROL PCN

## AFFIDAVIT OF PUBLICATION

A01CNC3388592

CHERI BECHTEL A/P  
MDNR - AIR POLLUTION CONTROL  
P O BOX 176  
JEFFERSON CITY MO 65102

THE ATTACHED ADVERTISEMENT WAS PUBLISHED IN THE ST. LOUIS POST-DISPATCH IN CLASSIFICATION 9000, 01 TIME, STARTING ON SEPTEMBER 18, 2002 AND ENDING ON SEPTEMBER 18, 2002. THE ATTACHED ADVERTISEMENT RAN:

MISSOURI AIR CONSERVATION COMMISSION  
WILL HOLD PUBLIC HEARING

SEPT 18

JEFFERSON CITY, MO — The Missouri Air Conservation Commission will hold a public hearing on Emissions Banking and Trading, Restriction of Emissions of Lead From Specific Lead Smelter-Refinery Installations, Operating Permit Program Deficiencies, Maintenance Plan for the St. Louis Ozone Nonattainment Area, St. Louis Mobile Source Emission Budget for the St. Louis Ozone Nonattainment Area, Kansas City Ozone Maintenance Plan, and other issues on Thursday, October 24, 2002. The Public Hearing will begin at 9 a.m. at the Traveler's Inn Christian and Breakfast, Ballroom, 301 W. Washington, Kirksville, Missouri. The commission will hear testimony related to the following rule actions.

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## St. Louis Mobile Source Emission Budget for the St. Louis Ozone Nonattainment Area

The Missouri Department of Natural Resources is required to submit mobile source emission budgets for conformity purposes for the St. Louis ozone nonattainment area. This budget is rejected emissions inventory used to demonstrate reasonable further progress for a particular year specified in the State Implementation Plan. The mobile source emission budget establishes a cap on emissions that cannot be exceeded by predicted highway and transit vehicle emissions. The department has worked with the East-West Gateway Coordinating Council for the assistance of a mobile source workgroup in calculating a year 2004 mobile source budget.

## Missouri State Implementation Plan (SIP), Lead Plan for the Doe Run Resource Recycling Facility Near Booby, MO.

This revision of the Missouri SIP, Lead Plan for the Doe Run Resource Recycling Facility includes production limit changes in order to match proposed revisions to 10 CSR 10-6.120 that revise furnace throughput limits. These changes allow the facility greater operational flexibility without increasing net lead emissions. Additionally, it corrects grammatical errors and updates the quarterly monitor results. The area was redesignated as attainment of the National Ambient Air Quality Standard (NAAQS) for lead in December 2000, and there have not been any monitored exceedances since that designation was made. Therefore, it is not necessary to identify additional emissions reductions. The plan must only demonstrate that it will adequately protect the NAAQS from future exceedances.

## Kansas City Ozone Maintenance Plan

The Missouri Department of Natural Resources' Air Pollution Control Program is required to submit mobile source emissions budgets for conformity purposes for the Kansas City Ozone maintenance area. The Missouri Air Conservation Commission adopted the current budget contained in the 2002 Kansas City Maintenance Plan on July 25, 2002. However, new economic spread indicators of population and employment recently became available. These economic indicators impacted inventory projections of mobile and area sources by increasing emissions. The department's Air Pollution Control Program through inter agency coordination group process and with the assistance from Mid America Regional Council (MARC) developed new projections for on-road mobile emission inventories, area source emission inventories and a new mobile emissions budget.

above documents will be available for review at the following locations: Missouri Department of Natural Resources, Air Pollution Control Program, 205 Jefferson St., Jefferson City, (573) 1-4817, Jefferson City Regional Office: 210 Hoover Road, Jefferson City, (573) 751-7729, Kansas City Regional Office: 500 NE Colburn Road, Lees Summit, (816) 627-7000, Northwest Regional Office: 1709 Prospect Drive, Macon, (661) 325-7529, Southeast Regional Office: 648 Linden Street, Poplar Bluff, (573) 840-9750, St. Louis Regional Office: 9200 Western Road, St. Louis, (314) 766-7600, Southwest Regional Office: 3015 W. Main Street, Columbia, (617) 891-1100.

*Shirley L. Hays*  
MER SERVICE MANAGER

TO AND-SUBSCRIBED BEFORE ME,  
DAY OF SEPTEMBER, 2002.

*Patricia Carlisle*  
PUBLIC, CITY OF ST. LOUIS

VIT CHARGE \$5.00 EACH

PATRICIA CARLISLE  
Notary Public - Notary Seal  
STATE OF MISSOURI  
St. Louis County  
Commission Expires June 21, 2005  
099 > PHONE 314-340-8000

RECEIVED

2002 SEP 23 AM 10:53

## FIDAVIT OF PUBLICATION

AIR POLLUTION  
CONTROL PROGRAM

THE KANSAS CITY STAR COMPANY, publishers of  
THE KANSAS CITY STAR, a newspaper published in  
the City of Kansas City, County of Jackson, State of  
Missouri, confirms that the notice and/or advertisement of

MO DEPT OF NATURAL RESOURCES  
AIR POLLUTION CONTROL PROGRAM  
PO BOX 176  
JEFFERSON CITY MO 65102  
22428421

7518430

a true copy of which is hereto attached,  
was duly published in the above said newspaper

FOR THE PERIOD OF: 1 Day (s)

COMMENCING: September 20, 2002

ENDING: September 20, 2002

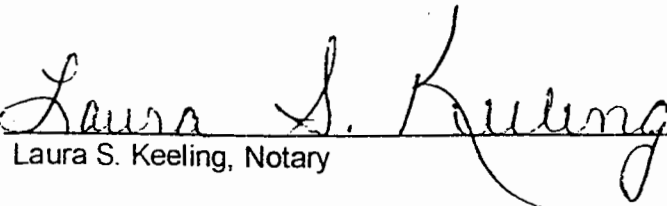
AR EDITION (S): 9/20/

STAR PAPER (S): 3

VOLUME: #123

Subscribed and sworn to before me,  
this Friday, 20 September, 2002.

I certify that I was duly qualified  
as a Notary Public for the State of  
Missouri, commissioned in Jackson  
County, Missouri. My commission  
expires August 18, 2006.

  
Laura S. Keeling, Notary

### WILL HOLD PUBLIC HEARING

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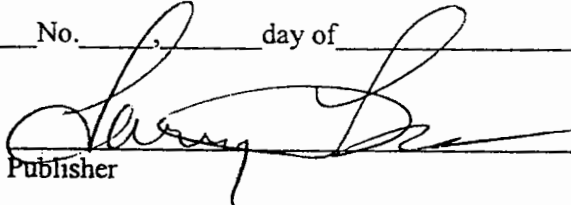
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AFFIDAVIT OF PUBLICATION  
STATE OF MISSOURI  
COUNTY OF ADAIR

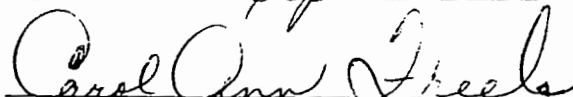
RECEIVED  
2002 SEP 19 AM 10:29  
AIR POLLUTION  
CONTROL PG 4

I, Larry W. Freels, being duly sworn, according to law, state that I am the Publisher of Kirksville Daily Express, a daily newspaper of general circulation in the County of Adair, State of Missouri, where located; which newspaper has been admitted to the Post Office as periodical class matter in the City of Kirksville, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 2000, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper in the following consecutive issues.

First Insertion Vol. 101 No. 219, 17th day of September, 2002  
Second Insertion Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_, 2002  
Third Insertion Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_, 2002  
Fourth Insertion Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_, 2002  
Fifth Insertion Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_, 2002  
Sixth Insertion Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_, 2002

  
Publisher

Subscribed and sworn to before me on this 17th day of September, 2002

  
Notary Public

My Commission Expires February 21, 2003.

Publication Fee \$ 451.50

Received payment \_\_\_\_\_

MISSOURI AIR CONSERVATION COMMISSION  
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Revision of the Missouri SIP, Lead Plan for the Doe Run Resource Recycling Facility includes production limits in order to match proposed revisions to 10 CSR 120 that revise furnace throughput limits. These changes allow the facility greater operational flexibility without increasing net lead emissions. Additionally, it corrects grammatical errors and updates the quarterly monitor results. The area was redesignated as attainment of the National Ambient Air Quality Standard (NAAQS) for lead in December 2000, and there have not been any monitored exceedances since that designation was made. Therefore, it is not necessary to identify additional emissions reductions. The plan must only demonstrate that the

# SPRINGFIELD NEWS-LEADER

651 Boonville · MPO Box 798  
Springfield, Missouri 65801  
Telephone (417) 836-1100

September 23, 2002

## PROOF OF PUBLICATION

STATE OF MISSOURI  
County of Greene

I, Marsha Burnett of Springfield, Missouri, of lawful age, do upon my oath state that I am the Legal Clerk of the News-Leader, and that I am duly authorized to and do make this affidavit for and on behalf of the News-Leader, a newspaper published daily in the City of Springfield, Greene County, Missouri; that the public advertisement, notice or order of publication, a true copy of which is hereto attached, was published in said newspaper 1 time(s) upon the following dates:

First publication on Thursday, September 19, 2002  
Second publication on  
Third publication on  
Fourth publication on  
Last publication on

I do further state under oath that said newspaper has been admitted to the Post Office as second class matter; that it is a newspaper of general circulation in the City of Springfield, Missouri; that it has been published regularly and consecutively for a period of more than three years; that it has a list of bona fide subscribers voluntarily engaged as such; who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that said newspaper has complied with the provisions of Section 14968 Revised Statutes of Missouri, 1939, relating to "Public Advertisements."

*Marsha Burnett*

before me this 23<sup>rd</sup> Day of September, 2002

*James Swaten*

Notary Public in and for  
Greene County, Missouri

 GANNETT

using date. let Dayp  
10/14 instead of 10/24.  
They were notified  
of this mistake.

1 (Witness sworn.)

2 MR. HINES: Good morning, Madam Commissioner  
3 and Members of Commission.

4 CHAIRPERSON BEARD: Good morning.

5 COMMISSIONER COLLINS: Good morning.

6 MR. HINES: My name is Tim Hines. I'm an  
7 environmental engineer with the Department's Air  
8 Pollution Control Program. I work at 205 Jefferson  
9 Street in Jefferson City, Missouri. And I'm here to  
10 present testimony for the proposed new mobile budgets  
11 for the 2002 Kansas City maintenance plan.

12 The information on the emission budgets begins  
13 on page 95 of the briefing document. The last time I  
14 was here, I talked about the projected impact of new  
15 population and employment forecast, and that's really  
16 what I'm gonna follow up on.

17 The overview of today's presentation is I'm  
18 going to consider the issues surrounding the need to  
19 change the mobile emission budget, and we're going to  
20 review the new mobile emission budget inventory  
21 numbers.

22 One of the first issues we had is when do you  
23 change the mobile emission budget? We looked at  
24 several things: When you have untimely arrival of new  
25 regional forecasts, when you review those forecasts and

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Public Hearing Comments and Responses on Revised Budget

**COMMENTS AND RESPONSES ON  
PROPOSED REVISIONS TO THE  
KANSAS CITY OZONE MAINTENANCE PLAN  
AND  
RECOMMENDATION FOR ADOPTION**

On October 24, 2002, the Missouri Air Conservation Commission (MACC) held a public hearing concerning revised mobile source emissions budgets for the Kansas City Ozone Maintenance Plan. The following is a summary of comments received and the Department of Natural Resources' corresponding responses. Any changes to the proposed state implementation plan are identified in the responses to comments.

The Missouri Department of Natural Resources' Air Pollution Control Program recommends the commission adopt the plan action as proposed. If the commission adopts this plan action, it will be the department's intention to submit this plan action to the U.S. Environmental Protection Agency for inclusion in the Missouri State Implementation Plan.

**SUMMARY OF COMMENTS:** No written or verbal comments were received concerning this proposed revision.

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**3.4.12**

**APPENDIX L**

**MACC Adoption Certification for Revised Budgets and Inventory**

Pursuant to 643.055 RSMo, the Missouri Air Conservation Commission has determined that this action is needed to have a U.S. Environmental Protection Agency approved State Implementation Plan.

Kansas City Ozone Maintenance Plan is hereby adopted by the Missouri Air Conservation Commission this 5th day of December, 2002.

Herbert A. Beard, Chairman

Michael P. Fournier, Member

Jack C. Baker, Member

Ernie Brown, Member

Barry M. Hayes, Member

\_\_\_\_\_, Member

\_\_\_\_\_, Member

**3.4.13**

**APPENDIX M**

Final EPA Approval of 2002 Kansas City Maintenance Plan